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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/521,908	01/20/2005	Torayuki Tsukada	10921.0269USWO	1680
52835	7590	02/08/2007	EXAMINER	
HAMRE, SCHUMANN, MUELLER & LARSON, P.C.			HOANG, TU BA	
P.O. BOX 2902			ART UNIT	PAPER NUMBER
MINNEAPOLIS, MN 55402-0902			2832	
SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE		
3 MONTHS	02/08/2007	PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/521,908	TSUKADA, TORAYUKI	
	<b>Examiner</b>	<b>Art Unit</b>	
	Tu Ba Hoang	2832	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### **Status**

- 1) Responsive to communication(s) filed on 15 December 2006.
- 2a) This action is **FINAL**.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### **Disposition of Claims**

- 4) Claim(s) 1-20 is/are pending in the application.
  - 4a) Of the above claim(s) 7-20 is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-6 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### **Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 02 January 2005 is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### **Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### **Attachment(s)**

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 1/20/05&7/13/06.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application
- 6) Other: \_\_\_\_\_.

***Election/Restrictions***

Applicant's election of group I, claims 1-6 in the reply filed on December 15, 2006 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)) and the requirement is deemed to be proper and hereby made final with claims 7- 20 are drawn to an invention nonelected without traverse. A complete reply to the final rejection must include cancellation of nonelected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Takakusa (JP5-225892). Takakusa shows a chip resistor (Figures 1-2) comprising a resistive element 4 including a flat surface (i.e., the lower or bottom surface as shown in the drawing), an insulation layer 3 provided in the flat surface, a plurality of electrodes 2a,2b provided in the flat surface (as shown in Figure 2), and an electrically insulating overcoat layer 5 of the same material with the layer 3 is formed or provided on the other surface of the resistor (which faces away from the flat surface), wherein the electrodes 2a,2b make contact with the insulation layer 3 and are spaced from each other via the insulation layer 3, the insulation layer can be formed of resin material by thick-film

printing technology as set forth in the abstract (English translation), and the resistive element 4 is a conductive soluble material formed of a thermoplastic conductive paste so as to make connections between the electrodes 2a,2b by fusing where at least parts or portions of the paste of the resistor element 4 at such connections are considered solder pastes or layers formed on the electrodes thereon.

Claims 1 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Katsuno et al (US 5,548,269). Katsuno et al shows a chip resistor (Figures 11 and 15 or 18) comprising a resistive element 3 including a flat surface, an insulation layer 6 provided in the flat surface, a plurality of electrodes 4a,4b provided in the flat surface, wherein the electrodes have at least solder layers formed thereon (i.e., such as 4a", 4b" as shown in Figures 2 and 13) and make contact with the insulation layer 6 and are spaced from each other via the insulation layer 6 as shown at least in Figures 11 and 15.

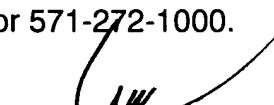
Claims 1 and 3-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Nakamura Keiji (JP 2002-184601) cited by the applicant. Nakamura Keiji shows a chip resistor 100 comprising a resistive element 110 including a flat surface, an insulation layer 141 provided in the flat surface, a plurality of electrodes 121,122 provided in the flat surface, an insulating overcoat layer 142 formed on a surface facing away from the flat surface, wherein the electrodes have at least solder layers 131,132 formed thereon and make contact with the insulation layer 141 and are spaced from each other via the insulation layer 141, both the insulation and the overcoat layers 141,142 are of the same material, and the electrodes 121,122 have a greater thickness than either one of

the insulation layer 141 or the overcoat layer 142 (as shown in the drawing in the English translation abstract).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tu Ba Hoang whose telephone number is (571) 272-4780. The examiner can normally be reached on Mon-Thu from 6:00AM to 6:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Elvin Enad can be reached on (571) 272-1990. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Tu Ba Hoang  
Primary Examiner  
Art Unit 2832

January 22, 2007